

Remarks/Arguments

In the non-final Office Action dated October 12, 2007, it is noted that claims 1, 3-8, and 11-13 are pending, and that all pending claims stand rejected under 35 U.S.C. §103.

Cited Art

The following references have been cited and applied as prior art in the present Office Action: U.S. Patent 6,208,952 to Goertzel (hereinafter referenced as “Goertzel”), and U.S. Patent 5,790,804 to Osborne (hereinafter referenced as “Osborne”).

Rejection Of Claims 1, 3-8, and 11-13 Under 35 USC §103

Claims 1, 3-8, and 11-13 stand rejected under 35 U.S.C. §103 as being unpatentable over Goertzel in view of Osborne. This rejection is respectfully traversed.

Claim 1, 11, and 12 are independent claims. Claims 3-8 depend ultimately from claim 1. Claim 13 depends ultimately from claim 12. Claims 1, 11, and 12 include one or more substantially similar features. In view of the substantial similarity of certain claim features, the remarks presented below will focus primarily on the features present in claim 1 for the sake of brevity in this response.

Claim 1 calls for:

Communication method in a first network comprising at least two devices, wherein, a first device including an internet application and a second device including means for connecting to the internet, said method comprises the steps of:

- sending a request from said first device to said second device for opening a connection between said first and second devices, wherein said request contains an internet protocol application identifier, corresponding to a protocol chosen among a plurality of protocols supported by the second device, to identify the internet application protocol to be used for exchanging information between the first device and an internet server, **said request also including a message buffer size allocated to message reception by the first device for connection on the first network;***
- receiving, by the second device, an internet protocol request under the format of said internet application protocol from said first device;*
- forwarding said internet protocol request from said second device to the internet server;*
- upon receipt, transferring a response from said internet server to said first device through said second device over said communication bus. [Emphasis supplied].*

With respect to the emphasized portion of claim 1 shown above, it should be noted that the claimed method operates by the first device sending the request to the second device,

wherein that request includes message buffer size allocated to message reception by the first device for the connection on the first network. That is, the first device communicates the size of its own message buffer that is being allocated for message reception by itself when it (i.e., the first device) is connected on the first network. In this way, the size of the message buffer on the **sending** side of the request is communicated to the receiving device.

It has been stated on page 4 of the present Office Action that, "Goertzel fails to teach the claimed in the limitation of an Internet server." No citation is given to support a teaching of this limitation from the prior art. The portion of Goertzel that discusses the TCP/IP protocol does not suggest the presence of a remote internet server in Goertzel. Goertzel only appears to teach communications between a client and a server. Messages are not passed through Goertzel's server to an internet server. Communications are handled directly between the client and the server in each instance presented by Goertzel. Thus, Goertzel does not teach, show, or suggest the first and second devices in the present claims together with the internet server.

It has also been stated on page 4 of the present Office Action that, "Goertzel does not teach that the request by the first device includes a message buffer size allocated to message reception by the first device for connection on the first network." In the present Office Action, it has been stated that Osborne was being added to Goertzel to overcome the latter deficiency in Goertzel's teachings.

Regardless of whether it is properly motivated to combine Goertzel and Osborne, a combination of references with which applicants neither agree nor acquiesce, it is submitted that the combination of Goertzel and Osborne fails to operate in the manner taught by claim 1, and fails to teach, show, or suggest all the elements of claim 1. Particularly, Goertzel and Osborne fail to teach, show, or suggest that, "*said request also including a message buffer size allocated to message reception by the first device for connection on the first network*", as defined in claim 1. Since it is already been admitted that Goertzel lacks any teaching of this limitation, the focus will be placed on the teachings of Osborne with respect to this limitation.

Contrary to the limitation in claim 1, Osborne appears to teach that the size of the message buffer on the **receiving** side of the request is communicated by the sending device to the receiving device. This is clear from a review of Osborne 16, lines and 59 to 67, where it is stated that:

Then, via an alternate connection, perhaps a dedicated operating system connection or an alternate network like a transport control

*protocol/internet protocol (TCP/IP connection, in step 201 **the sender contacts the intended receiver and requests a connection be setup with an appropriate endpoint buffer size.** The receiver then allocates that size buffer region in its virtual address space, finds or makes a free slot in the endpoint table, and fills it with the buffer base address, and virtual to physical mapping information. The receiver then acknowledges the connection in step 203. In a multicast connection, this procedure is repeated for each sender-receiver pair in the multicast. Messages containing an offset from the base of the endpoint may then be sent over the connection in step 204. [Emphasis supplied].*

As shown in the cited portion of Osborne specification above, Osborne appears to teach that the sending device requests that a connection be established with an appropriate buffer size at the receiving device, the receiving device thereafter allocating the requested size buffer region in its virtual address space (that is, a the address space of the receiving device). Given the apparent teaching by Osborne above, one can only conclude that Osborne's teachings are significantly different from the claimed invention herein. The manner in which the present invention, as claimed, operates is neither similar to nor compatible with nor even remotely suggested by the manner in which Osborne operates. In the claims, the message buffer size communicated by the sending device corresponds to a space allocation in the device that **sends** the request; in Osborne, the buffer size communicated by the sending device corresponds to a space allocation in the device that **receives** the request. In the claims, the buffer size is for the sending device, whereas, in Osborne, the buffer size is for the receiving device. The person skilled in the art reading Osborne and Goertzel would define a method in which a communicated buffer size would correspond to space allocation on the **receiving** side of the communicated request; the person skilled in the art would **not** define a method in which a communicated buffer size would correspond to a space allocation on the **sending** side of the request, as claimed. For these reasons, Osborne even when combined with Goertzel does not teach, suggest, or show that, "the request by the first device includes a message buffer size allocated to message reception by the first device for the connection on the first network", as defined in the claims.

In light of the remarks above and in view of the similarities between the independent claims with respect to the limitation discussed above, it is believed that independent claims 1, 11, and 12 and the claims dependent thereon would not have been obvious to a person skilled in the art upon a reading of Goertzel and Osborne, either separately or combination. Therefore it is submitted that claims 1, 3-8, and 11-13 are allowable under 35 U.S.C. §103. Withdrawal of this rejection is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the Applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 07-0832.

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